

AMENDED IN SENATE APRIL 23, 2012

AMENDED IN SENATE APRIL 9, 2012

SENATE BILL

No. 1294

Introduced by Senator Berryhill

February 23, 2012

An act to add Section 22900 to the Government Code, relating to public employee benefits.

LEGISLATIVE COUNSEL'S DIGEST

SB 1294, as amended, Berryhill. Public employee health benefits: Mariposa County.

Existing law requires the Board of Administration of the Public Employees' Retirement System to administer the Public Employees' Medical and Hospital Care Act. Existing law requires a contracting agency and a public employee or annuitant to contribute a portion of the cost of the employee's or annuitant's health benefits coverage. Under existing law, the employee's or annuitant's contribution is the total cost per month of coverage less the portion contributed by the employer. Existing law prescribes a minimum level for the employer's contribution toward the employee's or annuitant's health benefits coverage.

This bill would authorize the County of Mariposa and the employees' exclusive representative to enter into an agreement providing that the employer's health benefit coverage contribution is subject to a memorandum of understanding agreed upon through collective bargaining or by a resolution adopted by a majority of the board of supervisors. Under the bill, the employer contribution under such an agreement could be higher than that required by statute. The bill would also authorize an agreement between the employees' exclusive

representative and the County of Mariposa that permits higher employer contribution for annuitants than for employees, except as specified.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Mariposa.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 22900 is added to the Government Code,
2 to read:

3 22900. (a) Notwithstanding any other provision of this part,
4 the County of Mariposa and the employees' exclusive
5 representative may agree that the employer contribution for health
6 coverage shall be subject to the following:

7 (1) A memorandum of understanding regarding health coverage
8 mutually agreed upon through collective bargaining or a resolution
9 adopted by a majority of the *county board of supervisors*, providing
10 as follows:

11 (A) Establishing the amount of its employer contribution for its
12 annuitants or employees at any amount equal to or above that of
13 the adjusted employer contribution required by subdivision (b) of
14 Section 22892.

15 (B) Providing an employer contribution amount for annuitants
16 that is higher than the employer contribution provided for
17 employees, except that any employer contribution may not be less
18 than the adjusted employer contribution required by subdivision
19 (b) of Section 22892. *This subparagraph shall only apply to an*
20 *employee who retired before the effective date of the memorandum*
21 *of understanding or resolution adopted pursuant to subdivision*
22 *(a). If the memorandum of understanding or resolution establishes*
23 *a retroactive effective date, this subparagraph shall apply only*
24 *prospectively, and any employee who retires before the*
25 *memorandum of understanding is signed or the resolution is*
26 *adopted shall be subject to this subparagraph.*

27 (2) This subdivision shall not affect the obligations or benefits
28 of either the annuitants or the county that exist at the time of the
29 enactment of this section.

30 ~~(b) This section shall not apply to any employee who retired~~
31 ~~before the effective date of the memorandum of understanding or~~

1 resolution adopted pursuant to subdivision (a). If the memorandum
2 of understanding or resolution establishes a retroactive effective
3 date, this section shall apply only prospectively, and any employee
4 who retires before the memorandum of understanding is signed or
5 the resolution is adopted shall not be affected by that agreement.

6 (e)

7 (b) The County of Mariposa shall provide, in the manner
8 prescribed by the board, a notification of the agreement established
9 pursuant to this section and any additional information necessary
10 to implement this section.

11 SEC. 2. The Legislature finds and declares that a special law
12 is necessary and that a general law cannot be made applicable
13 within the meaning of Section 16 of Article IV of the California
14 Constitution because of the unique circumstances in the County
15 of Mariposa with respect to public employer and employee
16 contributions to health coverage.